

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - SW/S Beecham Court
and Avery Hill Drive (Lots 169, * DEPUTY ZONING COMMISSIONER
170 & 171, Worthington Park, Sec. 3)
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Prospect Farm Limited Partnership * Case No. 96-271-SPHA
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for those properties known as Lots 169, 170 and 171 of Worthington Park, Section 3, located in the vicinity of Garrison Forest Road in Owings Mills. The Petitions were filed by the owners of the property, Prospect Farm Limited Partnership, by Larry Macks, Partner, through David M. Meadows, Esquire. The Petitioners seek approval of an amendment to the final development plan for Worthington Park, Section 3, and a variance from Section 1A04.3.B.2 to allow 15-foot setbacks from any lot line in lieu of the required 50 feet, and a street centerline setback of 50 feet in lieu of the required 75 feet for Lots 169, 170 and 171 of Worthington Park, Section 3. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1A.

Appearing at the hearing on behalf of the Petitions was David Meadows, Esquire, attorney for the Petitioners. There were no Protestants.

Testimony and evidence offered revealed that the subject property is located within Section Three of the Worthington Park subdivision which consists of approximately 152 acres, split zoned D.R.1, D.R.2, and R.C.5. Worthington Park is a subdivision of approximately 336 lots, 230 of which have already been developed with single family homes. The property which

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

is the subject of these requests concerns three lots in Section 3, known as Lots 169, 170 and 171, which the Petitioners propose to develop with single family homes; however, the lots are predominantly zoned R.C.5, with only a small portion zoned D.R.1. Typically, the required setbacks in R.C.5 zones are greater than that in the D.R. zones by virtue of private well and septic reserve areas being located thereon. However, the Petitioners testified that the entire Worthington Park subdivision is served by public water and sewer. Inasmuch as these three lots will be served by public utilities, strict compliance with normal setback requirements for R.C.5 zoned land is not necessary and should not be required. Furthermore, in order to construct a home consistent with other homes in this community, the building envelopes proposed for Lots 169, 170 and 171 should not be altered. Testimony also revealed that the owners of the surrounding properties on which homes have already been built have no objections to the relief requested. This is evidenced by the fact that there were no Protestants at the hearing. Thus, it appears that the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

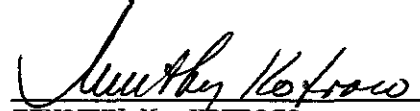
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of March, 1996 that the Petition for Special Hearing to approve an amendment to the final development plan for Worthington Park, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2 to allow 15-foot setbacks from any lot line

in lieu of the required 50 feet, and a street centerline setback of 50 feet in lieu of the required 75 feet for Lots 169, 170 and 171 of Worthington Park, Section 3 thereof, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

ENCLOSURE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 5, 1996

David M. Meadows, Esquire
4111 E. Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/S Beecham Court and Avery Hill Drive
(Lots 169, 170 & 171 of Worthington Park, Section 3)
4th Election District - 3rd Councilmanic District
Prospect Farm Limited Partnership - Petitioners
Case No. 96-271-SPHA

Dear Mr. Meadows:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Larry Macks, Prospect Farm Limited Partnership
4750 Owings Mills Boulevard, Owings Mills, Md. 21117

People's Counsel

file

MICROFILMED





Petition for Variance

And Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at

96-271-SRHA

Lot # 169, 170, 171 Beecham Ct

which is presently zoned RC-5/DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3 B(3) to allow 15-foot setbacks from any lot line in lieu of the 50-foot as required by the regulation, and a 50-foot street centerline setback in lieu of 75 feet. Also a special hearing to amend the final development plan.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached Statement of Reasons

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

David M. Meadows

(Type or Print Name)

Signature

4111 E. Joppa Road (410) 529-4600

Address

Phone No.

Baltimore, MD

21236

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Prospect Farm Limited Partnership

(Type or Print Name)

Signature

Larry Macks, Partner

(Type or Print Name)

Signature

4750 Owings Mills Blvd. (410) 356-9937

Address

Phone No.

Owings Mills, MD

21117

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1 hr.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *WJH*

DATE 1/10/96

ORDER RECEIVED FOR FILING

Date 3/5/96

By *[Signature]*

Zoning Administration

RECEIVED

STATEMENT OF REASONS

96-271-S&HA

Variance from Section 1A04.3B(2) to allow a 15' setback from any lot line in lieu of the required 50' in a RC-5 zone.

The proposed area variance is for an existing subdivision owned by the Petitioner, known as Worthington Park. The zoning for the subdivision ranges from DR-1 (71.78 acres), DR-2 (28.47 acres), RC-5 (4.15 acres). The specific portion of Worthington Park that is the subject of Petitioner's variance petition is a cul-de-sac consisting of five large residential lots. Two of the lots in the subdivision (Lots 167 and 168) are entirely in the DR-1 zone. The remaining three lots, which are the subject of this Petition are partially in the DR-1 zone and partially in the RC-5 zone.

As can be seen from the attached plat, not only are Lots 169-171 subject to two zoning classifications, they also straddle the metropolitan district extension line for water and sewer services. The subdivision, however, provides both water and sewer service to each of the lots in Worthington Park, including Lots 169-171.

As recounted in the zoning regulations, the RC-5 zoning classification was established for rural residential development, in areas where basic services were not anticipated. Therefore, the RC classification has very large setbacks, both from proposed roadways and adjacent residential lots. However, in Worthington Park, the balance of the property is zoned either DR-1 or DR-2, and all of the lots in the subdivision regardless of their zoning have both public water and sewer access, along with other utilities.

THEREFORE, it is reasonable to allow an area variance in these unique circumstances to allow the three lots owned by the Petitioner, which are surrounded by DR lots, to have comparable setback area variances. The granting of the Petitioner's application will alleviate the practical difficulty of having otherwise identical lots with significantly different setbacks. And for other reasons or justifications which will be presented to the hearing officer during the hearing on this Petition.

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

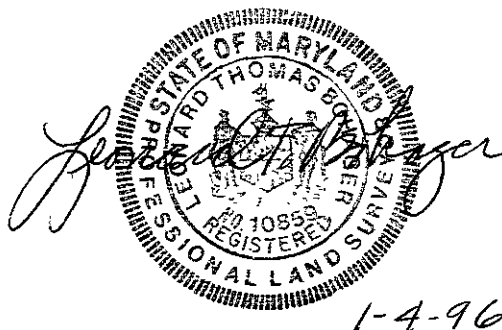
96-271-SPHA

ZONING DESCRIPTION PART OF WORTHINGTON PARK SECTION THREE 4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point being South 70 degrees 52 minutes 04 seconds West 45.61 feet from the centerline intersection of Avery Hill Drive (variable width) and Beecham Court (50 feet wide), said point also being designated as coordinate point No. 3026, all as shown on a plat entitled "Resubdivision Of A Portion Of Section Three Plat Four Worthington Park" and recorded among the Land Records of Baltimore County in Plat Book S.M. 65 folio 66; thence

- 1) South 21 degrees 34 minutes 47 seconds East 14.85 feet; thence
- 2) South 20 degrees 45 minutes 21 seconds West 81.39 feet; thence
- 3) North 72 degrees 05 minutes 34 seconds West 745.27 feet; thence
- 4) North 23 degrees 57 minutes 37 seconds West 33.57 feet; thence
- 5) North 72 degrees 05 minutes 34 seconds West 237.09 feet; thence
- 6) North 72 degrees 10 minutes 08 seconds East 67.94 feet; thence
- 7) Northeasterly 741.79 feet along a tangent curve concave to the southwest having a radius of 772.78 feet (the chord of said arc being South 80 degrees 19 minutes 56 East 713.64 feet) to a point of tangency; thence along a tangent bearing
- 8) South 52 degrees 50 minutes 00 seconds East 156.95 feet; thence
- 9) Southeasterly 92.68 feet along a tangent curve concave to the northeast having a radius of 507.40 feet (the chord of said arc being South 58 degrees 03 minutes 57 seconds East 92.55 feet) to the point of beginning.

CONTAINING 3.47 acres of land, more or less.



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#266

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-271 SPH

District 4th

Date of Posting 2/2/96

Posted for: Special Hearing & Variance

Petitioner: Prospect Farm Limited Partnership

Location of property: 95 Arroyo Hill Drive - W/S Backham Court

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. Hester

Signature

Date of return: 2/9/96

Number of Signs: 1

MICROFILM



NOTICE OF HEARING

The Zoning Commission of Baltimore County, Maryland, of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-271-SPHA
(Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
Corner: S/S Avery Hill Drive, W/S Beecham Court
4th Election District
3rd Councilmanic
Legal Owner(s):
Prospect Farm Limited Partnership

Special Hearing: to amend the Final Development Plan.
Variance: to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot street centerline setback in lieu of 75 feet.
Hearing: Friday, February 23, 1996 at 2:00 p.m. in Rm. 106 County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

2/102 Feb. 8. C30290

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/8, 1996.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

~~Publication~~

1996 FEB 8

No. 013673
271-SPHA

Ik m. 266
3, 10th

AMOUNT \$ 405.00

RECEIVED FROM: Procc. Genet. Expt. Lab. Univ. / Sec. III, 3rd - 7

010-	3	Krs Var	-	\$ 15.00
030-	3	R. SPH	-	\$ 10.00
050-	3	signs	-	\$ 1.50
				<hr/>
				465.00

FOR: _____

FOR: _____

طهارة النفس

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

#266
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 266 Petitioner: Prospect Farm Limited Partnership

Location: Lots 169, 170, 171 Beecham Court/Worthington Park - Sec. III

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David M. Meadows

ADDRESS: 4111 E. Joppa Road

Baltimore, MD. 21236

PHONE NUMBER: (410) 529-4600

TO: PUTUXENT PUBLISHING COMPANY

February 8, 1996 Issue - Jeffersonian

Please forward billing to:

David M. Meadows, Esq.
4111 E. Joppa Road
Baltimore, MD 21236
529-4600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-271-SPHA (Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
Corner S/S Avery Hill Drive, W/S Beecham Court
4th Election District - 3rd Councilmanic
Legal Owner: Prospect Farm Limited Partnership

Special Hearing to amend the Final Development Plan.
Variance to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot street centerline setback in lieu of 75 feet.

HEARING: FRIDAY, FEBRUARY 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 31, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-271-SPHA (Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
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Special Hearing to amend the Final Development Plan.
Variance to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot street centerline setback in lieu of 75 feet.

HEARING: FRIDAY, FEBRUARY 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jahlon".

Arnold Jahlon
Director

cc: Prospect Farm Limited Partnership
David M. Meadows, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 16, 1996

David M. Meadows, Esquire
4111 E. Joppa Road
Baltimore, MD 21236

RE: Item No.: 266
Case No.: 96-271-SPHA
Petitioner: Prospect Farm Ltd.
Partnership

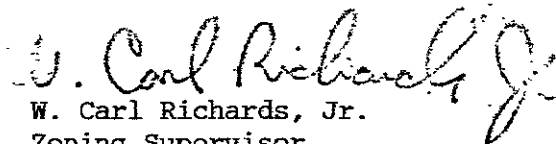
Dear Mr. Meadows:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: January 25, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: Worthington Park Section Three

INFORMATION:

Item Number: 266

Petitioner: Prospect Farm Limited Partnership

Property Size: _____

Zoning: RC-5 & DR-1

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 29, 1996
Items 266, 267 and 268 ✓

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

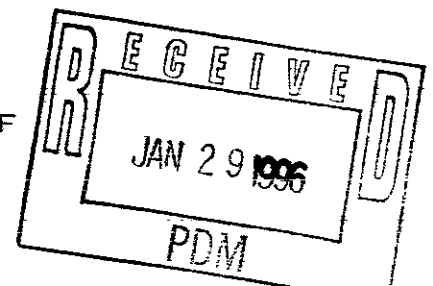
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 266, 267, 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 266 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
Lots 169, 170, 171 Beecham Court (Worth-	*	ZONING COMMISSIONER
ington Park, Section III), Corner S/S Avery		
Hill Drive, W/S Beecham Court, 4th	*	OF BALTIMORE COUNTY
Election District, 3rd Councilmanic		
	*	CASE NO. 96-271-SPHA
Legal Owner: Prospect Farm Ltd. Partnership		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to David M. Meadows, Esquire, 4111 E. Joppa Road, Baltimore, MD 21236, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - SW/S Beecham Court and Avery Hill Drive (Lots 169, 170 & 171, Worthington Park, Sec. 3) 4th Election District * OF BALTIMORE COUNTY 3rd Councilmanic District * Case No. 96-271-SPHA Prospect Farm Limited Partnership, Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of March, 1996 that the Petition for Special Hearing to approve an amendment to the final development plan for Worthington Park, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2 to allow 15-foot setbacks from any lot line

in lieu of the required 50 feet, and a street centerline setback of 50 feet in lieu of the required 75 feet for Lots 169, 170 and 171 of Worthington Park, Section 3 thereof, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

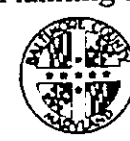
ORDER RECEIVED FOR FILING
Date 3/5/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 3/5/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 3/5/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 3/5/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 5, 1996

David M. Meadows, Esquire
4111 E. Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/S Beecham Court and Avery Hill Drive
(Lots 169, 170 & 171 of Worthington Park, Section 3)
4th Election District - 3rd Councilmanic District
Prospect Farm Limited Partnership - Petitioners
Case No. 96-271-SPHA

Dear Mr. Meadows:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Larry Macks, Prospect Farm Limited Partnership
4750 Owings Mills Boulevard, Owings Mills, Md. 21117

People's Counsel

File

Petition for Variance
And Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at Lots 169, 170, 171 Beecham Ct
96-271-SPHA which is presently zoned RC-5/DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.2 to allow 15-foot setbacks from any lot line in lieu of the 50-foot as required by the regulation, and a 50-foot street centerline setback in lieu of 75 feet. Also a special hearing to amend the final development plan of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See Attached Statement of Reasons

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay responses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

David M. Meadows

(Type or Print Name)

David M. Meadows

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Prospect Farm Limited Partnership

(Type or Print Name)

Larry Macks

Signature

Larry Macks, Partner

(Type or Print Name)

Signature

4750 Owings Mills Blvd. (410)356-9937

Address

Owings Mills, MD 21117

City

State

Zipcode

Name

Address

City

State

Zipcode

Phone No.

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

ALL OTHER

REVIEWED BY 2/25/96 DATE 1/10/96

ORDER RECEIVED FOR FILING
Date 3/5/96
By [Signature]

STATEMENT OF REASONS

Variance from Section 1A04.3B(2) to allow a 15' setback from any lot line in lieu of the required 50' in a RC-5 zone.

The proposed area variance is for an existing subdivision owned by the Petitioner, known as Worthington Park. The zoning for the subdivision ranges from DR-1 (71.78 acres), DR-2 (28.47 acres), RC-5 (4.15 acres). The specific portion of Worthington Park that is the subject of Petitioner's variance petition is a cul-de-sac consisting of five large residential lots. Two of the lots in the subdivision (Lots 167 and 168) are entirely in the DR-1 zone. The remaining three lots, which are the subject of this Petition are partially in the DR-1 zone and partially in the RC-5 zone.

As can be seen from the attached plat, not only are Lots 169-171 subject to two zoning classifications, they also straddle the metropolitan district extension line for water and sewer services. The subdivision, however, provides both water and sewer service to each of the lots in Worthington Park, including Lots 169-171.

As recounted in the zoning regulations, the RC-5 zoning classification was established for rural residential development, in areas where basic services were not anticipated. Therefore, the RC classification has very large setbacks, both from proposed roadways and adjacent residential lots. However, in Worthington Park, the balance of the property is zoned either DR-1 or DR-2, and all of the lots in the subdivision regardless of their zoning have both public water and sewer access, along with other utilities.

THEREFORE, it is reasonable to allow an area variance in these unique circumstances to allow the three lots owned by the Petitioner, which are surrounded by DR lots, to have comparable setback area variances. The granting of the Petitioner's application will alleviate the practical difficulty of having otherwise identical lots with significantly different setbacks. And for other reasons or justifications which will be presented to the hearing officer during the hearing on this Petition.

W. DUVAL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

ZONING DESCRIPTION
PART OF WORTHINGTON PARK SECTION THREE
4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point being South 70 degrees 52 minutes 04 seconds West 45.81 feet from the centerline intersection of Avery Hill Drive (variable width) and Beecham Court (50 feet wide), said point also being designated as coordinate point No. 3026, all as shown on a plat entitled "Resubdivision Of A Portion Of Section Three Plat Four Worthington Park" and recorded among the Land Records of Baltimore County in Plat Book S.W. 65 folio 66; thence

- 1) South 31 degrees 34 minutes 47 seconds East 14.85 feet: thence
- 2) South 20 degrees 45 minutes 21 seconds West 81.39 feet: thence
- 3) North 72 degrees 05 minutes 34 seconds West 745.27 feet: thence
- 4) North 23 degrees 57 minutes 37 seconds West 33.57 feet: thence
- 5) North 72 degrees 05 minutes 34 seconds West 237.09 feet: thence
- 6) North 72 degrees 10 minutes 08 seconds East 67.94 feet: thence
- 7) Northeastly 741.72 feet along a tangent curve concave to the southwest having a radius of 772.78 feet (the chord of said arc being South 80 degrees 19 minutes 56 East 713.64 feet) to a point of tangency: thence along a tangent bearing
- 8) South 52 degrees 50 minutes 00 seconds East 156.95 feet: thence
- 9) Southeastly 52.98 feet along a tangent curve concave to the northeast having a radius of 507.40 feet (the chord of said arc being South 58 degrees 03 minutes 57 seconds East 92.55 feet) to the point of beginning.

CONTAINING 3.47 acres of land, more or less.

W. Duval & Associates, Inc.
W. DUVAL & ASSOCIATES, INC.
1-4-96
#266

530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 2/2/96
Posted for: Special Hearing of Meadows
Petitioner: Prospect Farm Limited Partnership
Location of property: 400 W. Chesapeake Avenue - 3rd Concilium
Location of Sign: Room 106, 400 W. Chesapeake Avenue, 3rd Concilium
Remarks:
Posted by: [Signature] Date of return: 2/2/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/8, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication commencing on 2/8, 1996.

THE JEFFERSONIAN,

A. Henrichsen
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Friday, February 23, 1996 at 2:00 p.m. in Room 106, County Office Building.
Case #6-271-SPHA (Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
Corner S/S Avery Hill Drive, W/S Beecham Court
4th Election District - 3rd Concilium
Legal Owner: Prospect Farm Limited Partnership
Special Hearing: to amend the Final Development Plan. Variance to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot centerline setback in lieu of 75 feet.
Hearing: Friday, February 23, 1996 at 2:00 p.m. in Room 106, County Office Building.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3393.
(2) For information concerning the file and/or hearing, please call 887-3391.
2/10/96 Feb. 8, 2000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 013673
96-271-SPHA
DATE 1-10-96 ACCOUNT 01-615
IN 266 AMOUNT \$ 405.00
RECEIVED FROM Prospect Farm Limited Partnership
FOR Posting Fees
CASHIER [Signature] VALIDATION OR SIGNATURE OF CASHIER
DATE 1-10-96 TIME 1:55 PM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 266 Petitioner: Prospect Farm Limited Partnership
Location: Lots 169, 170, 171 Beecham Court/Worthington Park - Sec. III

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David M. Meadows
ADDRESS: 4111 E. Joppa Road
Towson, MD. 21236
PHONE NUMBER: (410) 528-4600

Printed with Soybean Ink
on Recycled Paper

12

TO: POTOMAC PUBLISHING COMPANY
February 8, 1996 Issue - Jeffersonian
Please forward billing to:
David M. Meadows, Esq.
4111 E. Joppa Road
Baltimore, MD 21236
528-4600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Friday, February 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

CASE NUMBER: 96-271-SPHA (Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
Corner S/S Avery Hill Drive, W/S Beecham Court
4th Election District - 3rd Concilium
Legal Owner: Prospect Farm Limited Partnership

Special Hearing to amend the Final Development Plan.
Variance to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot street centerline setback in lieu of 75 feet.

HEARING: FRIDAY, FEBRUARY 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 31, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Friday, February 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

CASE NUMBER: 96-271-SPHA (Item 266)
Lots 169, 170, 171 Beecham Court - Worthington Park, Section III
Corner S/S Avery Hill Drive, W/S Beecham Court
4th Election District - 3rd Concilium
Legal Owner: Prospect Farm Limited Partnership

Special Hearing to amend the Final Development Plan.
Variance to allow 15 foot setbacks from any lot line in lieu of the 50 foot and a 50 foot street centerline setback in lieu of 75 feet.

HEARING: FRIDAY, FEBRUARY 23, 1996 at 2:00 p.m. in Room 106, County Office Building.

Carl Jablon
Arnold Jablon
Director

cc: Prospect Farm Limited Partnership
David M. Meadows, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 16, 1996

David M. Meadows, Esquire
4111 E. Joppa Road
Baltimore, MD 21236

RE: Item No.: 266
Case No.: 96-271-SPHA
Petitioner: Prospect Farm Ltd.
Partnership

Dear Mr. Meadows:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: January 25, 1996
FROM: Arnold F. 'Pat' Keller, III, Director, PO
SUBJECT: Worthington Park Section Three
INFORMATION:
Item Number: 266
Petitioner: Prospect Farm Limited Partnership
Property Size: _____
Zoning: RC-5 & DR-1
Requested Action: Variance
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long
Division Chief: Carol L. Kerns
PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review
RE: Zoning Advisory Committee Meeting
For January 23, 1996
Items 266, 267 and 268

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:ew



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

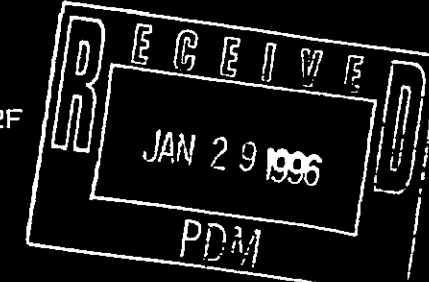
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS (266, 267, 268 AND 269.)

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 266 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING *
PETITION FOR VARIANCE *
Lots 159, 170, 171 Beecham Court (Worth- *
ington Park, Section III), Corner S/S Avery *
Hill Drive, W/S Beecham Court, 4th *
Election District, 3rd Councilmanic *
Legal Owner: Prospect Farm Ltd. Partnership *
Petitioners: *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-271-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

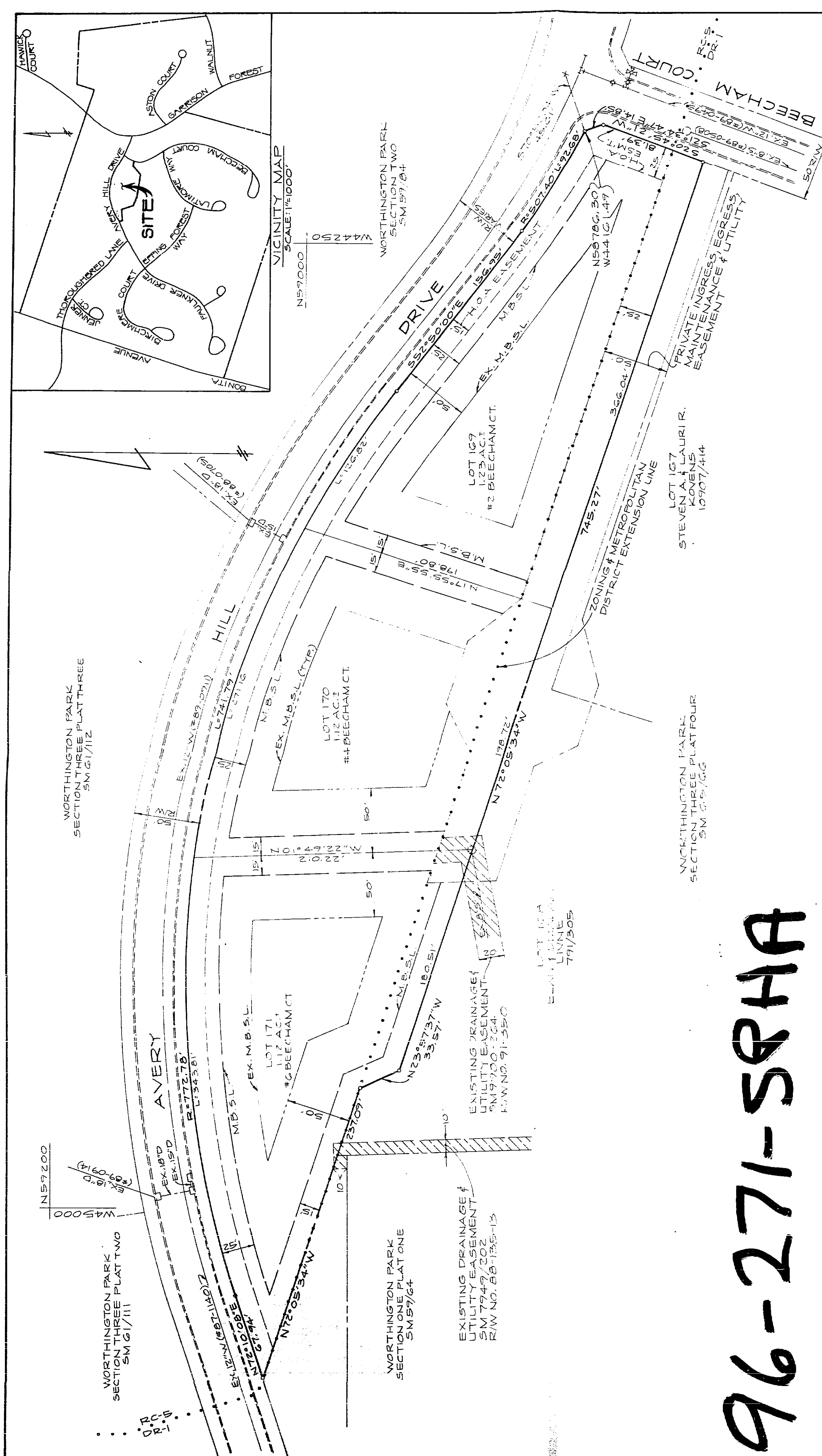
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to David M. Meadows, Esquire, 4111 E. Joppa Road, Baltimore, MD 21236, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



96-271-SRHA

Pet Ex #1

PLAT TO ACCOMPANY PETITION FOR
ZONING VARIANCE
WORTHINGTON PARK
SECTION THREE PLAT FOUR
PREVIOUSLY RECORDED IN SM 65/66
ELECTION DIST. 4 BALTO. COUNTY, MD
SCALE: 1"=50'
DEED OF OWNERSHIP - SM 7352/831
TAX ACCOUNT NO. - 22-00-010771
#34

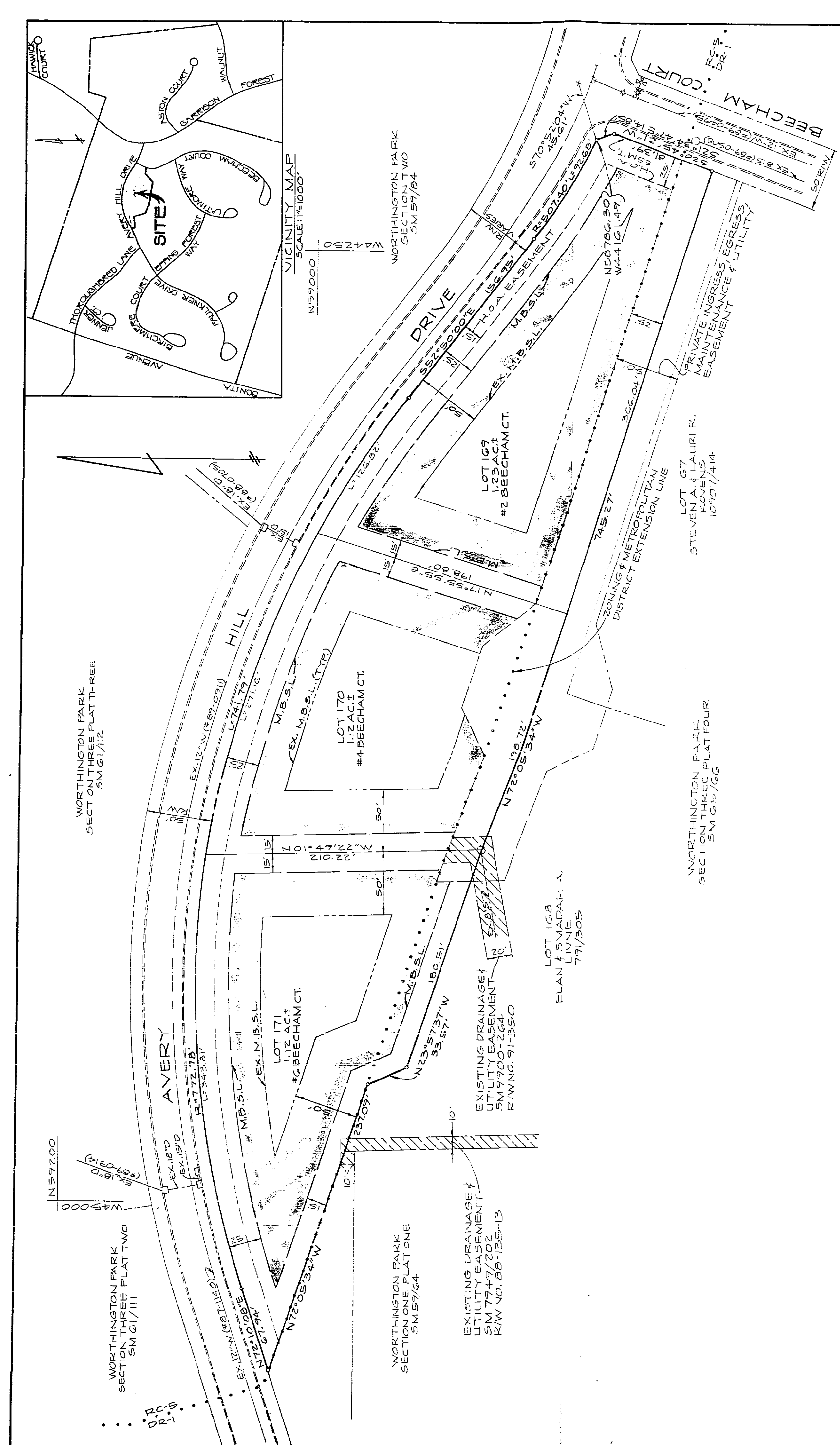
OWNER/DEVELOPER
PROSPECT FARM LIMITED PARTNERSHIP
4750 OWINGS MILLS BLVD.
OWINGS MILLS, MD. 21117
(410) 356-7737

W. DUVALL & ASSOCIATES, INC.
SURVEYORS, ENGINEERS, AND PLANNERS
10000 WATSON ROAD
BETHESDA, MARYLAND 20814
TEL (410) 283-1851
FAX (410) 283-1851



1-4-96

86057



Pet Ex 1A

PLAT TO ACCOMPANY PETITION FOR
ZONING VARIANCE
WORTHINGTON PARK
SECTION THREE PLAT FOUR
PREVIOUSLY RECORDED IN SM 65/66
ELECTION DIST. 4 BALTO. COUNTY, MD
SCALE: 1"=50'
DEED OF OWNERSHIP - SM 7352/831
TAX ACCOUNT NO. - 22-00-010771

OWNER/DEVELOPER
PROSPECT FARM LIMITED PARTNERSHIP
4750 OWINGS MILLS BLVD.
OWINGS MILLS, MD. 21117
(410) 356-7737

W. DUVALL & ASSOCIATES, INC.
SURVEYORS, ENGINEERS, AND PLANNERS
10000 WATSON ROAD
BETHESDA, MARYLAND 20814
TEL (410) 283-1851
FAX (410) 283-1851



1-4-96

86057

NOTES:

EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTIONS SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.

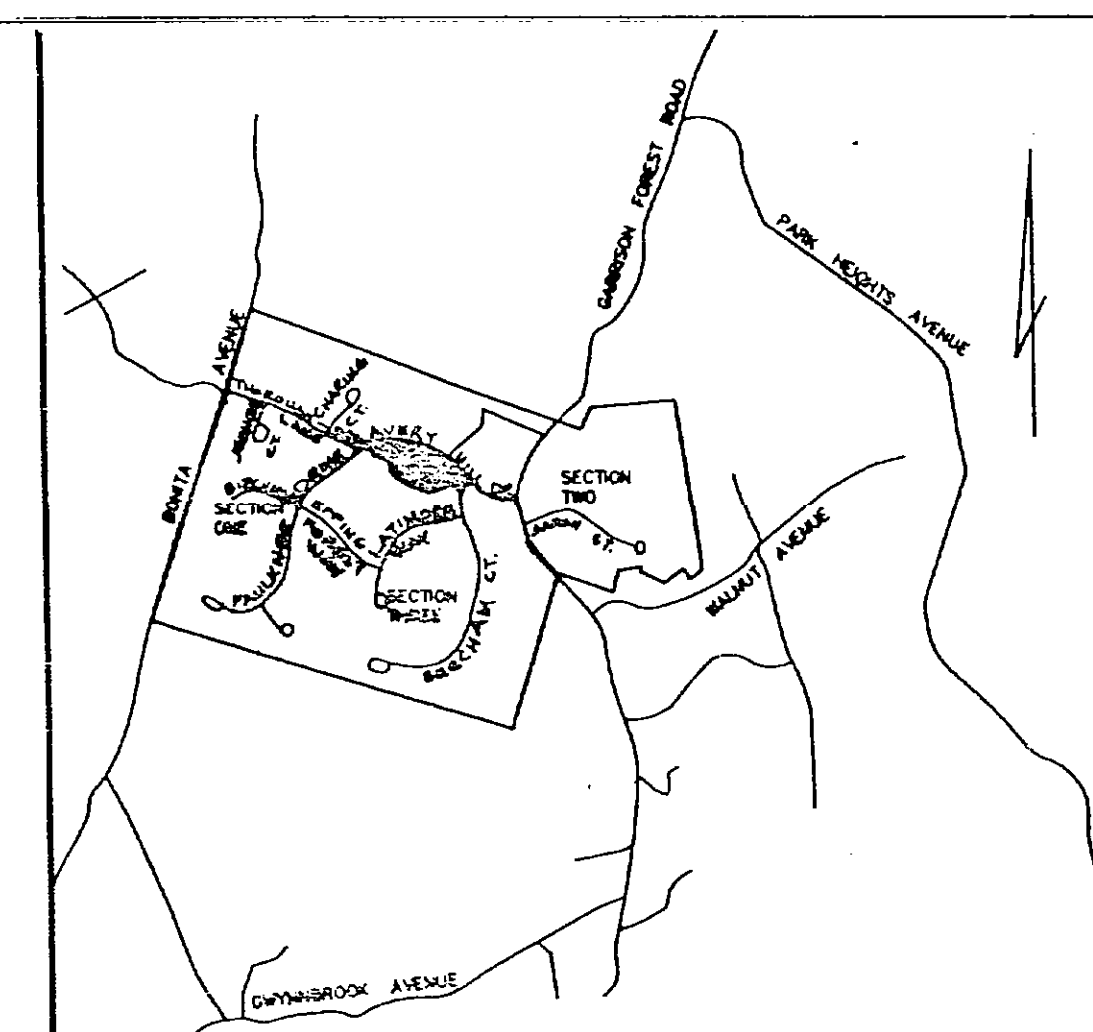
NOTES:

TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT OF WAYS.

THE LOCATION OF ALL ROADS, DRAINAGE AND UTILITY EASEMENTS HAVE BEEN DETERMINED BY A REGISTERED PROFESSIONAL ENGINEER, REG. NO. 18013

CURVE DATA							
FROM	TO	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
3003	3013	712.78	741.79	402.27	713.64	S 201°54' E	54°55'52"
3023	3022	775.00	11.78	5.89	11.78	S 201°51' W	00°52'15"
3021	3026	507.40	22.65	46.47	72.50	S 87°05'27" E	10°47'24"

COORDINATES		
No.	NORTH	WEST
3000	59012.40	43155.25
3001	58965.00	43170.00
3002	58949.92	43063.60
3004	58779.67	44963.01
3005	58965.00	44962.00
3006	58825.00	44953.00
3010	58666.27	44915.51
3015	58588.10	44853.30
3018	58584.29	44433.48
3019	58530.08	44375.10
3020	58493.31	44355.14
3021	58835.26	44200.03
3022	58618.40	44214.33
3023	58629.45	44200.24
3026	58786.30	44111.49
3027	58772.50	44115.03



VICINITY MAP
Scale: 1"=2000'

DENSITY CALCULATIONS				
	THIS PLAT	SECTION ONE	SECTION TWO	SECTION THREE
Gross Area	6.96 AC.	104.400 AC.	73.310 AC.	183.150 AC.
Highway Deduction	N/A	2.281 AC.	0.270 AC.	0.538 AC.
Net Area	6.96 AC.	102.119 AC.	73.040 AC.	182.612 AC.
Zoning	DR 1 375 AC. RC 5 303 AC.	DR 1 71.78 AC. DR 2 28.47 AC. RC 5 4.15 AC.	RC 5 73.31 AC.	DR 1 108.74 AC. DR 2 58.26 AC. RC 5 28.83 AC.
Lots Permitted	1,333 ± 275 667,503 ± 202	DR 1 = 71.78 DR 2 = 58.94 RC 5 = 2.77	RC 5 = 48.90	DR 1 = 105.74 DR 2 = 54.64 RC 5 = 17.22
Lots Proposed	5	129	37	170
Parking Required	5 UNITS x 2 = 10 spaces	129 UNITS x 2 = 258 spaces	37 UNITS x 2 = 74 spaces	170 UNITS x 2 = 340 spaces
Parking Proposed	10 spaces	258 spaces	74 spaces	340 spaces
Open Space Required	0.000 AC.	0.000 AC.	0.000 AC.	0.000 AC.
Open Space Proposed	0.20 AC.	1.125 AC.	0.900 AC.	2.060 AC.

W 45000
N 58500

PRIVATE INGRESS, EGRESS, MAINTENANCE & UTILITY EASEMENT LINE INFORMATION

- (A) N 72° 05' 34" W, 364.80'
- (B) S 76° 27' 54" W, 52.72'
- (C) N 72° 05' 34" W, 50.00'
- (D) N 29° 34' 56" W, 40.70'
- (E) N 72° 05' 34" W, 21.33'
- (F) N 01° 40' 22" W, 53.12'
- (G) S 72° 05' 34" E, 109.27'
- (H) N 65° 23' 49" E, 40.70'
- (I) S 72° 05' 34" E, 50.00'
- (J) S 40° 39' 25" E, 52.73'
- (K) S 72° 05' 34" E, 56.720'

OWNER / DEVELOPER
PROSPECT FARM LIMITED PARTNERSHIP
6615 Reisterstown Road
Baltimore, Maryland 21215
(301) 358-4934

THE APPROVAL OF THIS PLAT IS BASED UPON A...
THAT THE WATER AND SEWER SERVICE WHICH IS...
WILL BE AVAILABLE WITHIN 100 FEET OF THE...
BE ISSUED UNTIL THE PUBLIC UTILITY...
AND DETERMINED TO BE ADEQUATE TO SERVE THE...
AND DETERMINED TO BE ADEQUATE TO SERVE THE...

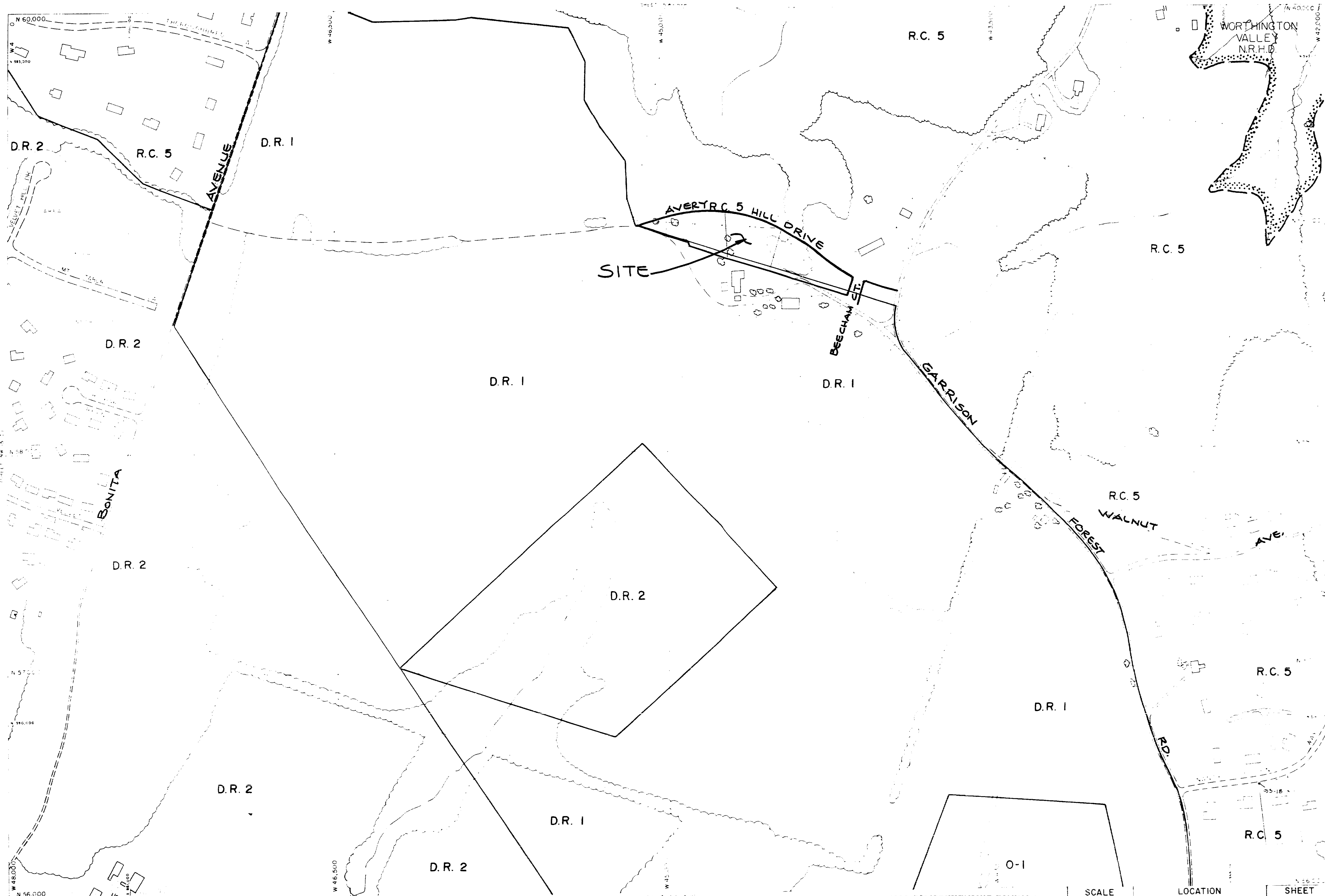
Pet Ex #2

Filed for record
S.M. 65 FOLIO 66
Date MAR 18 1993
Test:
Clerk

RESUBDIVISION OF
A PORTION OF
SECTION THREE PLAT FOUR
WORTHINGTON PARK
(FORMERLY LOT 163)
PREVIOUSLY RECORDED IN PLAT BOOK 64-6

4th Election District Baltimore County, Md.
Scale 1"=50' Date: November 8, 1990
Deed of Ownership - S. M. 7362 / 831
Tax Account Number - 22-00-010791
CRG Was Approved on 4/5/90

<p>APPROVED: [Signature] 2/1/91 DIRECTOR OF PUBLIC WORKS</p> <p>APPROVED: [Signature] 4/1/91 DIRECTOR OF PLANNING AND ZONING</p> <p>APPROVED: [Signature] 2-22-91 DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT</p>	<p>SURVEYOR'S CERTIFICATE</p> <p>THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT, AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.</p> <p>[Signature] DATE: 2/1/91</p>	<p>OWNER'S CERTIFICATE</p> <p>THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.</p> <p>[Signature] DATE: 2/1/91</p>	<p>NOTE:</p> <p>1) HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.</p> <p>NOTE:</p> <p>THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTIONED THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, AND THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THESE TERMS AND ASSIGNS.</p>	<p>NOTE:</p> <p>1) FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.</p> <p>2) THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.</p> <p>3) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.</p> <p>4) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.</p> <p>5) THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.</p> <p>6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.</p> <p>7) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES CONTAINED IN THE WATER QUALITY MANAGEMENT POLICY.</p>	<p>P.W.A. COMPLETED 4/9006 5/91</p> <p>FINAL PLAT CHECKED: [Signature] 2/1/91 PLANNING: [Signature] 2/1/91 ENGINEERING: [Signature] 2/1/91 STREET NAMES: [Signature] 2/1/91</p> <p>NOTE:</p> <p>COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT BASED ON THE FOLLOWING TRAVERSE STATIONS.</p> <p>X = 13237 N 59782.75 W 46849.89</p> <p>X = 13238 N 60318.02 W 46867.79</p> <p>W. DUVAL & ASSOCIATES, INC. ENGINEERS SURVEYORS LAND PLANNERS 530 EAST JOPPA ROAD TOWSON, MARYLAND 21204 (301) 583-9571</p> <p>COMPUTED BY: M.A.K. DRAWN BY: K.W. CHECKED BY: D.S.F. PROJECT NUMBER: 88057 N.</p>
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**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Ord. Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William Howard IV
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
TIMBER GROVE

SHEET
N.W.
15-H

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

#266

96-271-SRHA



96-271-SPHQ

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1966

TIMBER GROVE

#266

N.W.
15-H